



236/3 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision:15.07.2025

(i) CRM-M-339-2025

Shivam Saini @ Lucky ...Petitioner

vs.

State of Haryana ...Respondent

(ii) CRM-M-20405-2025(O&M)

Ashish @ Akhil ...Petitioner

vs.

State of Haryana ...Respondent

(iii) CRM-M-25291-2025

Khalil Ahmad @ Khaleel Ahmad ...Petitioner

vs.

State of Haryana ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. G.C.Shahpuri, Advocate
for the petitioner (in CRM-M-339-2025).

Mr. Sudhir Rana, Advocate with
Mr. Ankush Duhan, Advocate and
Mr. Vijender Ahlawat, Advocate
for the petitioner (in CRM-M-20405-2025)

Mr. Virat Rana, Advocate
for the petitioner (in CRM-M-25291-2025).

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.Shekhawat J.(oral)

1. This order shall dispose off above-said three petitions i.e.



CRM-M-339-2025, titled as Shivam Saini @ Lucky Vs. State of Haryana, CRM-M-20405-2025 titled as Ashish @ Akhil Vs. State of Haryana and CRM-M-25291-2025 titled as Khalil Ahmad @ Khaleel Ahmad Vs. State of Haryana, whereby the petitioners have prayed for grant of regular bail to them in case FIR No.422 dated 03.09.2024 registered under Sections 22-C and 29 of NDPS Act, at Police Station Sadar Yamuna Nagar, District Yamuna Nagar.

2. Learned counsel for the petitioners submit that as per the case set up by the prosecution, two accused, namely, Satvinder and Harjinder were arrested by the police, while they were carrying 14440 tablets of Diphenoxylate HC and Atropine Sulphate make Lomotil and 360 capsules of tramadol, without any permit or licence. During the course of investigation, it was discovered that total weight of the tablets of Diphenoxylate HC was 963.63 grams, whereas the weight of other capsules of tramadol was 142.02 grams. Learned counsel further submit that after their arrest, Satvinder and Harjinder had named Ashish @ Akhil as a supplier of the contraband and on the basis of the said statement, Ashish @ Akhil was arrested on 04.09.2024. It was found that Ashish @ Akhil was in touch with Satvinder and Harjinder telephonically and even there was exchange of money between them. On the other hand, Ashish @ Akhil disclosed the name of Shivam Saini @ Lucky and Shivam Saini @ Lucky further disclosed the name of Khalil Ahmad @ Khaleel Ahmad in the present case. All the three petitioners were arrested in the present case on 04.09.2024 (Ashish @ Akhil), 05.09.2024 (Shivam Saini) and 04.12.2024 (Khalil Ahmad @ Khaleel Ahmad) and are continuing in custody since then. Learned counsel further submit that no recovery was effected from them and now the challan has been presented against them. As per learned counsel, out of total 23 witnesses,



no witness has been examined so far.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioners on the ground that there was sufficient evidence against all the three accused and not only the call details, but there was exchange of huge money between the present petitioners as well as the main accused in the present case. Learned State counsel also admits that there is no other case against the petitioners.

4. I have heard learned counsel for the parties and perused the record carefully.

5. In the present case, admittedly, the recovery was initially effected from Satvinder and Harjinder, the main accused. The petitioners have been nominated as accused in the present case on the basis of the various disclosure statements and the financial transactions between the accused in the present case. However, the prosecution is yet to lead evidence with regard to admissibility of such evidence before the trial Court.

6. At this stage, without commenting on the merits of the case, the present petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned

7. Pending applications, if any, stand also disposed of.

(N.S.SHEKHAWAT)
JUDGE

15.07.2025
hemlata

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No